THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

W.P. No. 9048 of 2001

Dated:13.12.2007

Between:

D. Bal Reddy.

..Petitioner.

and

The Commissioner, Municipal Corporation of Hyderabad,
Tank Bund Road, Hyderabad.

..Respondent.

THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

W.P. No. 9048 of 2001

ORDER

Questioning the notice, dated 03.04.2001, issued to him, the petitioner filed this writ petition.

2. The case of the petitioner is that inasmuch he constructed the building strictly in accordance with the G.O.Ms.No.432 M.A., dated 31.07.1998, which lays down that no prior sanction of building applications are necessary for the construction of individual residential buildings in plots up to 100 sq. mtrs and height restricted to 10 mtrs and as the building constructed by him is only a ground floor within 100 sq. mtrs of area, the impugned notice is liable to be set aside or quashed.

3. The contention of the learned standing counsel for the respondent is that even though no prior sanction of the building is necessary, the other requirements like the submission of building drawings approved by the licensed technical personnel along with prescribed fee etc., as contemplated by the said G.O. relied on by the petitioner are not followed, petitioner was issued a show case notice and so there are no grounds to interfere with the impugned notice.

4. In response to the show case notice impugned in the petition, petitioner gave a reply on 26.04.2001. It is stated that no order is passed on the reply/representation submitted by the petitioner.

5. Therefore, the Writ Petition is disposed of directing the respondents to pass appropriate orders on the reply/representation given by the petitioner to the show cause notice impugned within

one month from the date of receipt of a copy of this order and intimate the result thereof to the petitioner by registered post with acknowledgment due. Till the representation is disposed of, status quo obtaining as on today shall continue. No order as to costs.

C.Y.SOMAYAJULU, J

Dated: 13.12.2007

SJ